

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 80350-1230
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. If known, see 37 CFR 1.52 To Be Assigned <b>10/500228</b>
INTERNATIONAL APPLICATION NO. PCT/FR02/04589	INTERNATIONAL FILING DATE 30 December 2002	PRIORITY DATE CLAIMED 28 December 2001	
TITLE OF INVENTION Multiple-Pouch Intragastriac Balloons, Surgical Device for Expanding Said Balloon and Method for Making Same			
APPLICANT(S) FOR DO/EO/US LOINTIER, Patrice, Henri; VERDIER, Alain, Jean, Charles; and BORY, Roger-Michel			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input checked="" type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Copy of PCT/RO/101; Copy of PCT Publication; Copy of International Preliminary Examination Request; and English translation of Interational Preliminary Examination Report</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) <b>To Be Assigned</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR02/04589</b>		ATTORNEY'S DOCKET NUMBER <b>80350-1230</b>	
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				<b>\$ 920.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$ 130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x <b>\$18.00</b>		
Independent claims	- 3 =		x <b>\$86.00</b>		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ <b>\$290.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1050.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$ -460.00</b>	
<b>SUBTOTAL =</b>				<b>\$ 590.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				<b>\$</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 590.00</b>	
				<b>Amount to be refunded:</b> \$	
				<b>charged:</b> \$	

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.

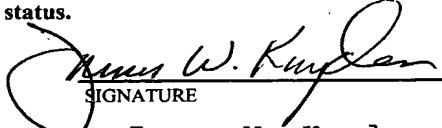
d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
 or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

James W. Kayden  
 Thomas, Kayden, Horstemeyer  
 & Risley, LLP  
 100 Galleria Parkway, NW  
 Suite 1750  
 Atlanta, GA 30339-5948

  
 SIGNATURE  
 James W. Kayden  
 NAME  
 31,532  
 REGISTRATION NUMBER

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER THE PATENT COOPERATION TREATY

In Re Application of: Lointier et al.  
U.S. Serial No.: TBA  
(Nat. Phase of Int. Appl. No.: PCT/FR02/04589)  
U.S. Filing Date: Herewith  
(Int. Filing Date: 30 December 2002)  
Title: MULTIPLE-POUCH INTRAGASTRIC BALLOON, SURGICAL DEVICE FOR  
EXPANDING SAID BALLON AND METHOD FOR MAKING SAME  
Atty Docket No.: 80350-1230

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

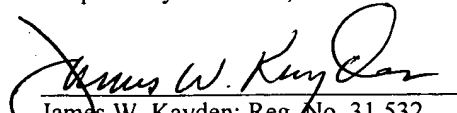
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US);
2. Fee Calculation Sheet (in duplicate);
3. A Credit Card Authorization Form;
4. A translated International Application, including 35 pages of Description; 7 pages of Claims; a page of Abstract; and 8 sheets of Drawings (depicting Figures 1-12);
5. Preliminary Amendment;
6. Copy of PCT/R0/101 (PCT Request);
7. Copy of PCT Publication WO 03/055420 A1;
8. Copy of International Preliminary Examination Request;
9. English translation of International Preliminary Examination Report;
10. Information Disclosure Statement, including a copy of the International Search Report, Form 1449 and seven (7) references; and
11. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

Respectfully submitted,

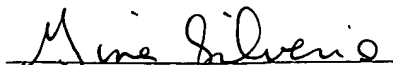
  
James W. Kayden; Reg. No. 31,532  
Attorney for Applicant

THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.

Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, GA 30339-5948  
Telephone: (770) 933-9500  
Facsimile: (770) 951-0933

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No. EV 437536610 US service under 37 CFR 1.10 on the date indicated below.

Date: June 25, 2004

  
Gina Silverio